

COUNTY COUNCIL

Mel Rapozo, Chair
 Ross Kagawa, Vice Chair
 Mason K. Chock
 Gary L. Hooser
 Arryl Kaneshiro
 KipuKai Kualii
 JoAnn A. Yukimura

**OFFICE OF THE COUNTY CLERK**

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Council Services Division
 4396 Rice Street, Suite 209
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MEMORANDUM

October 22, 2015

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **OCTOBER 21, 2015 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its October 21, 2015 Council Meeting:

CONSENT CALENDAR:

C 2015-254 Communication (09/14/2015) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Wallace G. Rezentes, Jr., to the Board of Water Supply for the County of Kauai – Term ending 12/31/2015. *(Received for the Record.)*

C 2015-255 Communication (10/01/2015) from the Hawai'i State Association of Counties (HSAC) President, transmitting for Council approval, the proposed HSAC Executive Committee for the term beginning in 2015, pursuant to Section 5 of the Bylaws of the HSAC, Inc., which was approved at the September 30, 2015 HSAC Special Executive Committee Meeting:

- **President:** County of Maui
(Michael P. Victorino, Maui County Council; Gladys Baisa-Alternate)
- **Vice President:** County of Hawai'i
(Dennis "Fresh" Onishi, Hawai'i County Council; Daniel K. Paleka, Jr., -Alternate)
- **Treasurer:** City and County of Honolulu
(J. Ikaika Anderson, Honolulu City Council; Joey Manahan-Alternate)
- **Secretary:** County of Kauai
(Mel Rapozo, Kauai County Council; Ross Kagawa-Alternate)

(Received for the Record.)

C 2015-256 Communication (10/05/2015) from the Director of Finance, transmitting for Council information, the First Quarter Statement of Equipment Purchases for Fiscal Year 2015-2016, pursuant to Section 17 of Ordinance No. B-2015-796, the Operating Budget of the County of Kaua'i for Fiscal Year 2015-2016. ***(Received for the Record.)***

C 2015-257 Communication (10/06/2015) from Council Chair Rapozo, transmitting for Council consideration, a Resolution approving the proposed slate of Hawai'i State Association of Counties (HSAC) officers for the 2016 term (July 1, 2015 – June 30, 2016) as approved by the HSAC Executive Committee at its special meeting on September 30, 2015. ***(Received for the Record.)***

C 2015-258 Communication (10/06/2015) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims against the County of Kaua'i from July 1, 2015 through September 30, 2015. ***(Received for the Record.)***

C 2015-259 Communication (10/09/2015) from Councilmember Hooser, providing written disclosure of a possible conflict of interest and recusal, on Bill No. 2600, relating to the beneficial tax rate for property used for long term affordable rental, due to his previous enrollment in the County's Long Term Affordable Rental Tax Limit Program. ***(Received for the Record.)***

C 2015-260 Communication (10/15/2015) from Council Vice Chair Kagawa, transmitting for Council consideration, a Resolution Expressing The Concern Of The Kaua'i County Council Over The Inflated Interisland Airfare Rates Charged By Hawaiian Airlines And Encouraging The Hawai'i State Legislature To Assist In Offering Relief To Interisland Travelers By Incentivizing Competition. ***(Received for the Record.)***

C 2015-261 Communication (10/15/2015) from Council Chair Rapozo, transmitting for Council consideration, a Resolution amending Resolution No. 2015-02, Draft 1, Relating To The Rules Of The Council Of The Council Of Kaua'i For The Organization Of Committees And The Transaction Of Business. The proposed Resolution would amend Rule No. 5(c), relating to a member's participation in a matter after disclosure of a conflict of interest; Rule No. 11(c)(10), relating to the questioning of public speakers; and Rule No. 12(e)(1), relating to the questioning of speakers at a public hearing. ***(Received for the Record.)***

COMMUNICATIONS:

C 2015-262 Communication (09/29/2015) from the Prosecuting Attorney, requesting Council approval to receive and expend grant funding from the State of Hawai'i, Office of Youth Services General Fund in the amount of \$25,000, to continue the Kaua'i Teen Court program via a subcontract with Hale 'Opio Kaua'i for their services from the period of November 1, 2015 to June 30, 2016. ***(Approved.)***

C 2015-263 Communication (10/02/2015) from the Assistant Chief Procurement Officer/Budget Chief, requesting Council approval to dispose of Procurement Work Folders (RFP (C4056)) and (IFB (#2872 - #2936)); Professional Services Regular (4-PROF-06/07, 1-PROF-07/08 thru 12-PROF-07/08); Professional Services Exempt (X7-PROF-05/06 thru X8-PROF-07/08); Sole Source Procurement documentation (Fiscal Year 2005-2008); Exempt Procurement documentation (Fiscal Year 2004-2008); Emergency Purchase documentation (Fiscal Year 2005-2008); Auction (SA-1-06 thru SA-3-07); and State Price Lists; pursuant to Section 46-43, Hawai'i Revised Statutes and Resolution No. 2008-39 (2008) as amended, which has been kept for over seven (7) years and are no longer of use or value. *(Referred to the October 28, 2015 Budget & Finance Committee Meeting.)*

C 2015-264 Communication (10/07/2015) from Council Vice Chair Kagawa, transmitting for Council consideration, an amendment to Subsection 8-15.1(d), Kaua'i County Code 1987, as amended, to eliminate the sunset date for obtaining a building permit to construct an additional dwelling unit on other than residentially zoned lots. *(Received for the Record.)*

C 2015-265 Communication (10/13/2015) from the Prosecuting Attorney, requesting Council approval to receive and expend State funds in the amount of \$100,182, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the period of July 1, 2015 through June 30, 2016, for the continuation of the Kaua'i Career Criminal Prosecution Program. The funding will be expended on the salary and partial fringe benefits for the Special Prosecuting Attorney of the Career Criminal Prosecution staff. *(Approved.)*

LEGAL DOCUMENTS:

C 2015-266 Communication (10/01/2015) from the Director of Parks & Recreation, recommending Council approval of a License Agreement with Boys & Girls Club of Hawai'i, a non-profit Hawai'i corporation, for three (3) portables and a portion of the grounds immediately surrounding the portables located at the Kaua'i War Memorial Convention Hall in Lihue, Kaua'i, Hawai'i, being a portion of Royal Patent 4480, Land Commission Award 7713, Apana, Part I to V. Kamāmalu, to be used for youth-related activities in the Lihue area.

- License Agreement
(Deferred.)

C 2015-267 Communication (10/05/2015) from the Mayor, recommending Council approval of a dedication deed to extend Kahana Street, by Lani Properties Corporation, a Hawai'i corporation, et al., to satisfy a condition of Subdivision C-2012-10, consolidation of Lot 8, Ho Enterprise Subdivision and Lot 33, and Subdivision of the same into Lot 8-A and Lot 33 – A, and cancelling easements AU-1 and AU-2, being portions of Grant 7959 to Manuel Correa and Grant 8930 to Roslyne G. Moura, at Kapa'a, Kaua'i, Hawai'i, Tax Map Key (TMK) No. (4) 4-6-12:124 and :125 (por.).

- Dedication Deed
(Approved.)

CLAIMS:

C 2015-268 Communication (09/29/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Roberto R. Lapitan, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2015-269 Communication (10/01/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Albert and Kathleen Melchor, for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2015-270 Communication (10/06/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Mark Young, for damages to his rental vehicle and personal property, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2015-271 Communication (10/09/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Charlene & John Clark, for personal injuries, lost wages and other damages, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: **APPROVED.**

RESOLUTIONS:

Resolution No. 2015-59 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY (*Wallace G. Rezentes, Jr.*) ***(Approved.)***

Resolution No. 2015-60 – RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) SLATE OF OFFICERS FOR FISCAL YEAR 2016 ***(Approved.)***

Resolution No. 2015-61 – RESOLUTION EXPRESSING THE CONCERN OF THE KAUA'I COUNTY COUNCIL OVER THE INFLATED INTERISLAND AIRFARE RATES CHARGED BY HAWAIIAN AIRLINES AND ENCOURAGING THE HAWAII STATE LEGISLATURE TO ASSIST IN OFFERING RELIEF TO INTERISLAND TRAVELERS BY INCENTIVIZING COMPETITION ***(Approved as Amended to Resolution No. 2015-61, Draft 1.)***

Resolution No. 2015-62 – RESOLUTION AMENDING RESOLUTION NO. 2015-02, DRAFT 1, RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUA'I FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS ***(Approved.)***

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2601) – A BILL FOR AN ORDINANCE AMENDING SUBSECTION 8-15.1(d), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ADDITIONAL DWELLING UNIT ON OTHER THAN RESIDENTIALLY ZONED LOTS (*Referred to the Planning Commission.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)